

ASSIGNED

No 46405

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office DEC 2 1982

Returned to applicant for correction

Corrected application filed

Map filed April 27, 1977 UNDER 31388

The applicant McDermitt Mine

P.O. Box 497, of McDermitt
Street and No. or P.O. Box No. City or Town

Nevada 89421, hereby make S application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) A Joint Venture of Placer Amex, Inc. and Mineral Exploration Co. Ltd. Placer Amex, Inc. was incorporated in California in 1953, Mineral Exploration Co. Ltd. is a new Jersey Limited Partnership.

1. The source of the proposed appropriation is Underground
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 2.20 second feet (519,000,000 gallons per year)
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet

3. The water to be used for Mining and Milling
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated

(b) Stockwater, state number and kinds of animals to be watered

(c) Other use (describe fully under "No. 12. Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16, T47N. R37E.
Describe as being within a 40-acre subdivision of public M.D.B.&M, or a point from which the southeast corner of said Sec. 16 bears S45 $^{\circ}$ E survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
2800 ft.

6. Place of use SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22; SW $\frac{1}{4}$ Sec. 23; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 26; NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$,
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 27; NE $\frac{1}{4}$ NSW $\frac{1}{4}$ Sec. 34; all in T.47N., R37E. M.D.B.&M.

7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Existing well, pump, and pipelines as
State manner in which water is to be diverted, i.e. diversion structure, ditches and
described in Permit No. 31388
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works N/A

10. Estimated time required to construct works..... N/A
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... 2 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This application is for an additional 519,000,000 gallons/year for mining and milling of cinnabar ore, in order to provide adequate water for present operations, and possible future expansion to a 24 hr./day, 7 days/week, 365 days/year operation (total combined water under this permit and Permit Nos. 31388, 28179, and 28181 to be 3.8 c.f.s. and 894,950,000 gallons annually).

By s/ T.C. Schultz
Box 497
McDermitt, Nev. 89421

Compared ds/bl ll/bm

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal, and local agencies.
(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.2 cubic feet per second, but not to exceed 424 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before February 4, 1986

Proof of completion of work shall be filed on or before March 4, 1986

Application of water to beneficial use shall be made on or before February 4, 1988

Proof of the application of water to beneficial use shall be filed on or before March 4, 1988


Map in support of proof of beneficial use shall be filed on or before

Completion of work filed MAR 29 1985 IN TESTIMONY WHEREOF, I PETER G. MORROS

Proof of beneficial use filed MAR 15 1988 State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 4TH day of FEBRUARY

Cultural map filed

Certificate No. 13643 Issued JUN 11 1993

A.D. 1985

State Engineer

(PERMIT TERMS CONTINUED)

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The total combined duty of water under Permits 28179, 28181, 31388 and 46405 shall not exceed 800 million gallons annually.

100

100

100